

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ROBERT LOWINGER, Individually and On Behalf of All Others Similarly Situated,

Plaintiff,

V.

FUNKO, INC; BRIAN MARIOTTI; RUSSELL NICKEL; KEN BROTMAN; GINO DELLOMO; CHARLES DENSON; DIANE IRVINE; ADAM KRIGER; RICHARD MCNALLY; GOLDMAN, SACHS & CO.; J.P. MORGAN SECURITIES LLC; MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED; PIPER JAFFRAY & CO.; JEFFERIES LLC; STIFFEL, NICOLAUS & COMPANY, INCORPORATED; BMO CAPITAL MARKETS CORP.; SUNTRUST ROBINSON HUMPHREY, INC.; and JOHN DOES 1 THROUGH 25,

Defendants.

J. STIPULATION

Plaintiff Robert Lowinger (“Plaintiff”) and Defendants Funko, Inc. (“Funko”), Brian Mariotti, Russell Nickel, Ken Brotman, Gino Dellomo, Charles Denson, Diane Irvine, Adam

STIPULATION AND ORDER RE: BRIEFING SCHEDULE
ON (1) PLAINTIFF'S MOTION TO REMAND AND (2)
FUNKO DEFENDANTS' MOTION TO STAY
PROCEEDINGS PENDING DECISION BY U.S. SUPREME
COURT - 1
(No. 2:18-cv-00201-RSM)

SAVITT BRUCE & WILLEY LLP
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1 Kriger, and Richard McNally (collectively, the “Funko Defendants”), by and through their
2 undersigned counsel of record, hereby stipulate and agree as follows:

3 1. On February 27, 2018, Plaintiff filed a Motion for Remand, with a Note on
4 Motion Calendar date of April 13, 2018 (the “Motion for Remand”).
5 2. On February 27, 2018, the Funko Defendants filed a Motion to Stay Proceedings
6 Pending Decision by U.S. Supreme Court, with a Note on Motion Calendar date of April 13,
7 2018.
8 3. Plaintiff and the Funko Defendants stipulate to the following schedule for the
9 remaining briefing on the (1) Motion for Remand and (2) Motion to Stay:
10

11 (a) Plaintiff’s brief in opposition to the Motion to Stay, together with any
12 supporting material, and Funko Defendants’ brief in opposition to the Motion for Remand,
13 together with any supporting material, shall be filed and served no later than **March 30, 2018**;
14 and
15 (b) Plaintiff’s brief in reply in support of the Motion for Remand, together with any
16 supporting material, and Funko Defendants’ brief in reply in support of the Motion to Stay,
17 together with any supporting material, shall be filed and served no later than **April 9, 2018**

18 SO STIPULATED AND AGREED this 28th day of February, 2018.

19 **KELLER ROHRBACK L.L.P.**

20 By /s/ Juli E. Farris [email authorization]
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26 **LATHAM & WATKINS LLP**

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28 Kevin McDonough, *pro hac vice*

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1 Of Counsel

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16 *Attorneys for Defendants Funko, Inc.;
17 Brian Mariotti; Russell Nickel; Ken
18 Brotman; Gino Dellomo; Charles Denson;
19 Diane Irvine; Adam Kriger; and
20 Richard McNally*

21 **ORDER**

22 In accordance with the foregoing stipulation, it is so **ORDERED**.

23 DATED: March 1, 2018.

24 

25 RICARDO S. MARTINEZ
26 CHIEF UNITED STATES DISTRICT JUDGE

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